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SUBJECT: ODIHR TELLS AMBASSADORS: SO FAR, SO GOOD ON
GEORGIAN ELECTIONS

¶1. (SBU) Summary: ODIHR's Election Observation Mission (EOM) monitoring Georgia's parliamentary elections briefed the Diplomatic Corps on May 8. The EOM said neither the government nor opposition was pleased with its first interim report, suggesting its balance was accurate. Overall, ODIHR Head of Mission Ambassador Boris Frlec said the election environment, administration, and commitment by the government to hold fair elections is much improved. Deputy Head of Mission Stefan Krause, who was here in January, said things are notably better than during the presidential election. Concern persists with a highly polarized campaign, inexcusable behavior by some opposition politicians, and an abiding mistrust in the electoral process among the opposition. Frlec said the opposition's criticisms regarding imbalance in media coverage and problems with the voters' list appear legitimate. Krause said they have again received complaints of intimidation in the regions, but these are notably fewer than before the last election and have little corroborating evidence. Still, ODIHR believes the most critical threat to the integrity of the election remains in the tabulation and reporting procedures that will take place after Election Day. ODIHR reiterated its promise to maintain a vigilant watch throughout the entire process. End Summary.

ODIHR Pleases Neither Side

¶2. (SBU) ODIHR's Election Observation Mission (EOM) monitoring Georgia's parliamentary elections briefed the Diplomatic Corps on May 8. The EOM said its first interim observation report, released on April 30, was criticized by both the government (as too harsh) and the opposition (for not intervening and improving the situation). ODIHR understood this response to mean that its take on the situation is pretty accurate. The second interim report will be published on May 14.

Palpable Progress

¶3. (SBU) Cautioning that ODIHR does not compare elections, Krause said the election environment and administration are much improved from the January presidential election. Frlec noted positively that the opposition is now campaigning. The EOM appreciated NDI's Code of Conduct, to which most parties have agreed. Frlec said the Central Election Administration (CEC) is trying hard to execute its duties. He praised CEC efforts to distribute election information in minority languages and hold regular, transparent CEC sessions. Frlec said the voters' list continues to present problems of inaccuracy, and this is one of the opposition's most valid concerns, although ODIHR does not expect the CEC to fix the list at this point. He said the central government's commitment to hold free and fair elections is palpable (President Saakashvili and MOIA Merabishvili made strong

statements recently that free elections are critical to Georgia's future). However, how deeply and widely this commitment extends throughout government and ruling party structures remains to be seen, said Frlec. Frlec expressed concern that the election code allows government authorities to campaign, and was pleased with Presidential and CEC statements against such practice.

Problems Remain

14. (SBU) Frlec voiced concern over the highly polarized campaign, "shocking" behavior by some opposition politicians, and the abiding deep mistrust of the electoral process among many in the opposition. (Frlec noted with dismay that the Secretary of the CEC has resorted to wearing a pistol to CEC sessions.) Frlec said most appeals/complaints in the CEC and courts so far had been decided without examining any evidence. Another significant concern, per ODIHR, is the inequality of media coverage. Frlec noted the prejudice of Mze and Rustavi-2 TV companies (both seen as pro-government) against the opposition. The only platform for the opposition is the pro-opposition Kavkasia TV (which itself is seen as prejudiced against the government). Krause said they have received notably fewer complaints of intimidation in the regions, and very little supporting evidence.

Next Steps

15. (SBU) Frlec said the most critical threat to the integrity of the election remains in the tabulation and reporting procedures that will take place after Election Day. He thought that the transparency and capacity of the CEC, and

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the government's commitment to fair elections, will be put to their biggest test at that time. Krause said ODIHR will continue its nationwide observation even after Election Day in order to assess the post-election period.

Comment

16. (SBU) ODIHR's assessment that there has been real progress since the presidential election largely coincides with the Embassy's. The CEC also appears to have done what could be done to remove inaccuracies from the list before the election. Joint Opposition leader Levan Gachechiladze has crossed the line with threats against CEC Chairman Tarkhnishvili and others in the campaign. The OSCE Ambassador's Working Group, of which the Ambassador is a member, plans to issue a statement noting the responsibility of all parties to adhere to the NDI Code of Conduct and that violent behavior has no place in a democracy.

TEFFT